

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
2018 Quadrennial Regulatory Review – Review of	)	
The Commission’s Broadcast Ownership Rules and	)	MB Docket No. 18-349
Other Rules Adopted Pursuant to Section 202 of	)	
The Telecommunications Act of 1996	)	

**Comments of the Writers Guild of America, East, AFL-CIO**

The Writers Guild of America, East, AFL-CIO (the “WGAE”) submits these comments in response to the Notice of Proposed Rulemaking in the above-captioned matter, adopted on December 12, 2018 and released on December 13, 2018.

The WGAE represents thousands of members who write for film, television, radio, and digital media. In addition to members who write dramas and comedies for television, the movie screen, and for digital distribution companies like Netflix and Amazon, the Guild’s news members work for the major television and radio networks and stations, for digital media entities, and for public television, where they write, produce, edit, and create graphics for news and public affairs programs. Their material is broadcast over the airwaves, distributed on cable television, and posted on the Internet.

The Notice and accompanying statements by the Chairman and other Commissioners suggest that long-standing limits on the consolidation of broadcast television entities must be scrapped because of the rise of digital-native entities and social media. The WGAE’s members include people who craft content for broadcast entities like CBS, ABC, and PBS and for digital entities like HuffPost, Vox Media, Gizmodo Media Group, Think Progress, and many others. Indeed, the VICE Media employees we represent craft content for distribution on cable television, pay television, and the Internet. This wide-ranging membership gives us a unique perspective from which to view the question of whether the rise of

digital competitors justifies the FCC permitting further consolidation of the already-enormous broadcast networks and local stations affiliated with those networks. This question is most directly raised by the possibility of weakening the Dual Network Rule but is also implicated by changes to the Local Radio and Local Television Ownership Rules.

Here's the fundamental problem: the Commission is suggesting that, because disruptions in the media marketplace might make it more difficult for "traditional" media giants to honor the national commitment to the vital principles of independence, localism, and diversity, the Commission should effectively scrap those principles. We respectfully submit that the cause is not, in fact, lost.

In fact, the picture of a traditional analogue broadcast world trying to save itself from being wiped out by a disruptive digital onslaught is a bit simplistic. We note that the broadcast giants themselves are heavily invested in the digital world. CBS, for example, now streams extensive news programming on the CBSN digital network and is expanding that approach by creating CBSN channels for local station affiliates. It also offers scripted programming on CBS All Access. The merger of Disney and Fox was driven by the merged companies' plan to create a stand-alone Subscription Video on Demand entity that would distribute Disney/Fox content to customers directly, using an Over the Top ("OTT") model like those developed by Netflix and other "digital" entities. Comcast Universal has invested heavily in non-broadcast ventures, including those of the digital entities that ostensibly pose a major competitive threat (e.g., Vox Media, a major digital-centric enterprise). Thus, the broadcast networks appear to be reorienting themselves to a new on-demand marketplace without any need to consolidate ownership at the top.

We also note that, to the extent that the digital upstarts (which are now multi-billion dollar media powerhouses) are threatening the Commission's ability to ensure independence, localism, and diversity, we respectfully request that this is a problem of the Commission's own making. In its current configuration the Commission has expressed considerable reluctance to apply any substantive or

procedural oversight to the digital world, scrapping even the limited principles of “net neutrality” that would have required internet service providers and others to refrain from favoring their own content in managing digital distribution. It would be bitterly ironic if, because the Commission has abnegated any authority to require digital media entities to honor the principles of independence, localism, and diversity, then broadcast entities must now be relieved of the responsibility of honoring those principles, as well.

The WGAE firmly opposes further weakening of the Local Radio Ownership Rule and the Local Television Ownership Rules. The Commission must address the precipitous decline in local news coverage. Permitting further consolidation of local radio and television station ownership reduce the number and diversity of viewpoints on issues of vital local importance. This would occur at the same time that the continued consolidation of national ownership of nominally “local” stations often results in the elimination of local coverage altogether, with increasing amounts of news coverage being piped out from centralized facilities with little or no connection to the local community. Further consolidation of local radio and television station ownership would rob local communities of their access to serious journalistic engagement with local political, cultural, and business leaders, and to robust coverage of the issues that affect their daily lives.

*Fcc comments on 2018 quadrennial review*